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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,643	10/18/2001	Scott E. Taylor	2070.005500/P6771	8153
7590	01/04/2005		EXAMINER	
B. Noel Kivlin Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. P. O. Box 398 Austin, TX 78767-0398			SHAH, KAMINI S	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 01/04/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/982,643	TAYLOR, SCOTT E.	
	Examiner	Art Unit	
	Kamini S Shah	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 October 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Whitney et al 5,842,214.

Regarding to claimed invention, Whitney et al teaches storage unit that adapted to store a domain list such as a distribution system has a first storage media portion which store and manage files, see col.2, lines 13-16. The distribution system includes workstation 101, network server 103, storage devices 104 and domain controllers 106 and also provides load balancing of domain controller resources. The domain controller includes a directory service server 204 which is responsible for mediating access to DS entries 202 see col. 4, lines 42-55. On col. 5, lines 1-8, the distributed file system manager 208 provides functionality for facilitating distributed name resolution and also provides management for a prefix table and management for knowledge about the file system. Regarding to claimed control unit for adapted to determine an active path from the one or more available paths, Whitney teaches distribution file system which performs the distributed name resolution as shown in figure 6, wherein retrieve storage location routine performs the mapping of the logical path name of an object to a physical address for the object in the distributed system, see col. 7, lines 40-59.

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Regarding to claim 2-9, Whitney et al teaches retrieve storage location routine 520 of the control unit to determine if there is match between the logical path name from the request and a logical path name in prefix table 520, and determines if there is desire to change active path by match in logic path name, see col. 8, lines 56-67 and col. 9, lines 1-15.

Regarding claims 10-24, claims recite the similar subject in method and article form as in claims 1-9, and are rejected for the similar reasons.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sugauchi et al 6,041,349 discloses flow chart fig 6 showing the server as a domain control node for managing the account information of the components in the domain, figure 7 shows table for storing data of management node relating to the designated managed object and stores designated object domain configuration information, see col. 5, lines 44-67 and col. 6, lines 1-14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamini S Shah
Primary Examiner
Art Unit 2142

kss